

In re:
Ann Krueger-Ruff
Duane F. Ruff
Debtors

Case No. 21-10287-pmm
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0313-4
Date Rcvd: Aug 20, 2021

User: admin
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 22, 2021:

Recip ID	Recipient Name and Address
db/jdb	Ann Krueger-Ruff, Duane F. Ruff, 5776 Keith Lane, Emmaus, PA 18049-5047

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 22, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 20, 2021 at the address(es) listed below:

Name	Email Address
ANDREW L. SPIVACK	on behalf of Creditor U.S. Bank National Association As Trustee Et Al andrew.spivack@brockandscott.com, wbecf@brockandscott.com
JILL MANUEL-COUGHILIN	on behalf of Creditor BANK OF AMERICA N.A. bankruptcy@powerskirm.com
JONATHAN WILKES CHATHAM	on behalf of Creditor PA Dept of Revenue RA-occbankruptcy7@pa.gov
KEVIN K. KERCHER	on behalf of Debtor Ann Krueger-Ruff kevinkk@kercherlaw.com kevin@kercherlaw.com
KEVIN K. KERCHER	on behalf of Joint Debtor Duane F. Ruff kevinkk@kercherlaw.com kevin@kercherlaw.com
REBECCA ANN SOLARZ	on behalf of Creditor Deutsche Bank National Trust Company as Trustee for GSAMP Trust 2007-HSBC1 Mortgage Pass-Through Certificates, Series 2007- HSBC1 bkgroup@kmlawgroup.com
SARAH K. MCCAFFERY	

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on behalf of Creditor BANK OF AMERICA N.A. bankruptcy@powerskirn.com

SCOTT F. WATERMAN (Chapter 13)

ECFMail@ReadingCh13.com

United States Trustee

USTPRegion03.PH.ECF@usdoj.gov

TOTAL: 9

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Ann Krueger-Ruff
and Duane F. Ruff,**

Debtors. : Chapter 13
:
:
:
Debtors. : Bky. No. 21-10287 PMM

ORDER

AND NOW, upon consideration of the Application for Compensation (doc. #45 “the Application”) filed by Kevin K. Kercher (“the Applicant”), counsel to the Debtor, in which the Applicant requests the allowance of compensation in the amount of **\$7,175.00** for representation of the Debtors from the inception of the case until confirmation. The chapter 13 Plan was confirmed on July 22, 2021.

AND, upon the Applicant's certification that proper service has been made on all interested parties,

AND, upon the Applicant's certification of no response,

AND the Application seeking total fees of \$7,175.00 for representation of this “above-median” Debtor. Applicant also requests reimbursement of expenses in the amount of \$313.00.

AND, the Court of Appeals having held that the bankruptcy court “has a *duty* to review fee applications, notwithstanding the absence of objections by the United States trustee . . . , creditors, or any other interested party, a duty which . . . derives from the court's inherent obligation to monitor the debtor's estate and to serve the public interest,” In re Busy Beaver Bldg. Centers, Inc., 19 F.3d 833, 841 (3d Cir. 1994) (emphasis in original),

AND, the Court of Appeals also having instructed that the bankruptcy courts should not “become enmeshed in a meticulous analysis of every detailed facet of the professional representation [to the point] that the inquiry into the adequacy of the fee assume[s] massive proportions, perhaps even dwarfing the case in chief,”¹

AND, in reviewing the services provided in this case, the court concluding that a reduction in the allowed compensation is appropriate,²

It is hereby **ORDERED** that:

1. The Application is **GRANTED IN PART AND DENIED IN PART**.
2. Compensation is allowed in favor of the Applicant in the amount of **\$7,050.00**, minus \$2,500.00 which was paid to the Applicant pre-petition. See also L.B.R. 2016-1(h) (governing procedure for disposition of fee applications without a hearing).
3. Reimbursement of expenses is allowed in the amount of \$313.00.

¹ Busy Beaver, 19 F.3d at 845 (quoting Lindy Bros. Builders, Inc. v. American Radiator & Std. Sanitary Corp., 540 F.2d 102, 116 (3d Cir. 1976 (en banc))).

² After reviewing the docket as well as the Applicant’s time records in this matter (filed as an exhibit to the Application), I am left unpersuaded that a fee of \$7,175.00 is warranted. There are two (2) charges on the time records for the March 16, 2021 §341 meeting, which was conducted by Zoom. The total time charged is 1.4 hours, which is excessive. Further, the time sheets do not disclose why there are separate charges for a single task. I will therefore reduce the Applicant’s fee by the amount charged for one (1) of the entries, March 16, 2021 entry for .5 hours which amounts to a charge of \$125.00.

4. The Trustee is authorized to distribute to the Applicant these allowed amounts of as an administrative expense pursuant to 11 U.S.C. §§330, 331, 503(b), to the extent such distribution is authorized under the terms of the chapter 13 plan.

Date: August 20, 2021



**PATRICIA M. MAYER
U.S. BANKRUPTCY JUDGE**